

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF PUERTO RICO

LUIS ACEVEDO GARCIA, et. al.

Plaintiff

vs.

HON. ROBERTO VERA MONROIG,
et al.

Defendants

CIVIL NO. 97-2639 (JP)

**INFORMATIVE MOTION REGARDING MOTION FILED BY
PLAINTIFFS, DOCKET 387**

To the Honorable Court:

COME NOW the MUNICIPALITY OF ADJUNTAS, through the undersigned counsel and respectfully informs the Court as follows:

Plaintiffs have filed a Motion in which they argue, albeit vaguely, that Defendants have no real intention to pay the Judgment in this case because they are not willing to settle the remaining claims. As the Court is well aware, since the status conference held after the Court of Appeals issued its decision, the payment of the judgment was expressly kept separate from any settlement of the remaining claims. Plaintiffs' own admission is that they are unwilling to receive a payment in two installments because they want to force Defendants to settle. At this juncture, the payment of the judgment will be satisfied in less than a year. Nonetheless, plaintiffs refuse to accept it, using the Court's contempt power to force a settlement. As the Court is well aware, the Municipality is using all available resources —short from closing down— to pay the judgment. The fact that the Court has imposed a fine is being used by plaintiffs as a mechanism to obtain something completely different from what its original purpose was.

Plaintiffs misrepresent the intention of the severance of this case. We need not argue further on this matter.

RESPECTFULLY SUBMITTED. In Ponce, Puerto Rico, this 8th day of November, 2004.

The subscribing attorney certifies that on this day this Motion has been electronically filed with the Clerk's office through CM/ECF system and that all parties and attorneys of record will be notified through the Clerk's Office.

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